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4 JOE LEDEZMA,  
5 Petitioner,  
6 v.  
7 JAMES HILL, Warden,  
8 Respondent.

9 Case No. 24-cv-03393-VKD

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14 **ORDER OF TRANSFER**

15 Joe Ledezma, a state prisoner currently confined at the Richard J. Donovan Correctional  
16 Facility in San Diego, California, filed a *pro se* petition for writ of habeas corpus, challenging his  
17 state conviction out of Los Angeles County. Dkt. No. 1 at 2. The Court notes that Mr. Ledezma  
18 addresses the petition to the California Court of Appeal, but the petition was mailed to this district  
court. Dkt. No. 1-1.<sup>1</sup>

19 A petition for a writ of habeas corpus made by a person in custody under the judgment and  
20 sentence of a state court of a state which contains two or more federal judicial districts may be  
21 filed in either the district of confinement or the district of conviction. *See* 28 U.S.C. § 2241(d).  
22 Mr. Ledezma's district of confinement is the Southern District of California, which includes San  
23 Diego County. 28 U.S.C. § 84(d). However, Mr. Ledezma's district of conviction is the Western  
24 Division of the Central District, which includes Los Angeles County. 28 U.S.C. § 84(c)(2).  
25 Accordingly, the Northern District of California has no jurisdiction over this matter.

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<sup>1</sup>A search of Mr. Ledezma's name on California's Appellate Courts Case Information database  
28 shows that he also filed a state habeas petition in the 2nd Appellate District on May 31, 2024  
(Case No. B338187). *See* <https://appellatecases.courtinfo.ca.gov/search.cfm?dist=2>.

Federal courts in California traditionally have chosen to hear habeas petitions challenging a state conviction or sentence in the district of conviction or sentencing. *See Habeas L.R. 2254-3(b)(1); Dannenberg v. Ingle*, 831 F. Supp. 767, 768 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Accordingly, in the exercise of its discretion and in the furtherance of justice, the Court finds that this case should be transferred to the United States District Court for the Western Division of the Central District of California. *See 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b)(1)*.

The Clerk of the Court shall terminate all pending motions and transfer the entire file to the Western Division of the Central District of California.

## **IT IS SO ORDERED.**

Dated: June 7, 2024

Virginia K. Demarchi  
VIRGINIA K. DEMARCHI  
United States Magistrate Judge

United States District Court  
Northern District of California